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UNITED STATES DEPARTMENT OF AGRICULTURE

SUGAR DIVISION, WASHINGTON, D. C.

DECISION AND ORDER OF THE SECRETARY OF AGRICULTURE ALLOT-
TING THE 1940 SUGAR QUOTA FOR THE MAINLAND CANE SUGAR
AREA

Preliminary Statement

General Sugar Quota Regulations, Series 7, No. 1, Revision 1, issued by the Secretary of Agriculture pursuant to the provisions of the Sugar Act of 1937 (hereinafter referred to as the "act"), established a 1940 sugar quota for the mainland cane sugar area of 420,167 short tons, raw value.

Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota whenever he finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for any area. Section 205 (a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulations prescribe.

On February 7, 1940, the Secretary issued the following finding:

"Pursuant to the authority contained in Section 205 (a) of the Sugar Act of 1937 (Public, No. 414, 75th Congress), and on the basis of information now before me, I, H. A. Wallace, Secretary of Agriculture, do hereby find that the allotment of the 1940 sugar quota for the mainland cane sugar area is necessary to prevent the disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States * * *."

The Secretary, on the basis of that finding and pursuant to General Sugar Regulations, Series 2, No. 2, Revised, gave due notice of a public hearing to be held at New Orleans, Louisiana, on February 29, 1940, for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of the 1940 sugar quota for the mainland cane sugar area among persons who market such sugar in the continental United States.

The hearing was duly held at the time and place specified in the notice.

The presiding officer announced at the hearing that the finding of necessity for the allotment of the quota for the mainland cane sugar area was in the nature of a preliminary finding, based on the best in-

*Mainland Cane Sugar Order No. 1, allotting the 1939 mainland cane sugar quota, appeared in the Federal Register of May 2, 1939, and was not otherwise printed.

formation available to the Secretary at the time, and that it would be appropriate at the hearing to present evidence on the basis of which the Secretary might affirm, modify, or change such preliminary finding and make or withhold allotment of the quota in accordance therewith. A witness who claimed to speak for a large group of Louisiana processors testified that, due to the recent freeze in Louisiana and an expected carryover into 1941 of about one-half of the 1940-41 crop of Louisiana sugar, the marketing of sugar in the fall of 1940 from the 1940-41 crop would not exceed the difference between the inventory on January 1, 1940, and the quota, and that, consequently, marketing allotments for 1940 are unnecessary. The witness offered no definite testimony in regard to the extent of the damage caused by the freeze, nor was he able to offer any substantial evidence in support of his statement that, without allotments, processors in the mainland cane sugar area would not market from the 1940-41 crop more than the difference between the quota and the inventory of sugar on hand on January 1, 1940.

A representative of the State office of the Agricultural Adjustment Administration at Baton Rouge, Louisiana, testified that, over a period of the past four years, processors of sugar in Louisiana had marketed, on the average, approximately 60% of the sugar of a given crop in the year in which it was produced. The witness further stated that the estimated production of sugar in the mainland cane sugar area from proportionate share acreages of the 1940-41 crop was 505,000 short tons of sugar. The witness representing the Sugar Division introduced in evidence figures showing an effective inventory¹ for the mainland cane sugar area as of January 1, 1940, of 217,507 short tons of sugar.

The witness representing the Youngsville Sugar Company testified that there is not, at the present time, in the hands of any one processor more sugar than he should be permitted to market during 1940, and, for that reason, marketing allotments are not necessary at the present time. The witness conceded that, if the estimated production of 505,000 short tons of sugar from the 1940-41 crop is approximately correct, allotments would be necessary, but stated that, due to unfavorable weather conditions, it was not possible to estimate the production from the 1940-41 crop at this time. The witness representing the Webre-Steib Company testified that allotments were not necessary but offered no factual data in support of such assertion.

In regard to the manner in which allotments should be made, thirty-seven of the sixty-seven Louisiana processors, testifying through their representatives or in their own behalf, recommended that 1940 allotments be made upon the same basis as the 1939 allotments were made, except that both marketings and processings be moved forward one year.

The representative of the South Coast Corporation recommended that 1940 allotments be made by allotting 40 percent of the quota on the basis of effective inventory as of January 1, 1940, and that the remaining 60 percent of the quota be allotted on the basis of the formula used in 1939. The witness representing the Youngsville

¹ Effective inventory is the quantity of sugar on hand on January 1, 1940, plus the estimated quantity to be produced after January 1, 1940, from the 1939-40 crop of sugarcane.

Sugar Company recommended that allotments be made on the basis of the 1939 formula but requested that 1 percent weight be given to past marketings and 99 percent weight be given to processings from proportionate shares. The witness recommended, further, that if figures are available, processings from the 1940 crop be used instead of processings from the 1939 crop. Three other Louisiana processors indicated that they are opposed to the use of the 1939 formula in making allotments for 1940.

The representative of the Fellsmere Sugar Producers Association objected to the use of the 1939 formula in the manner proposed by the group of Louisiana processors. The use of 1939 processings would, it was stated, unduly penalize growers who made substantial reductions in their proportionate share acreages in 1939, in accordance with the determination of proportionate shares for the mainland cane sugar area. The witness then proposed that 1940 allotments be made on the basis of actual allotments in 1939, reduced by a percentage equal to the percentage reduction in the 1940 quota below the quota for 1939.

The representative of the United States Sugar Corporation proposed that allotments for 1940 be made, first, by giving to all processors who would not claim a benefit payment under the act a marketing allotment equal to their production of sugar, and, secondly, by allotting the balance of the quota under a formula in which the following factors would be given weighted values:

- (1) The length of the harvest season (1 point for each day);
- (2) Average yearly earnings of employees (1 point for each dollar of annual wages);
- (3) Cost of production of sugar (100 points at three cents, with reductions above and additions below); and
- (4) Tons of sugar produced per acre (100 points for each ton).

The witness then proposed (a) that the basis for the establishment of the point weights be the averages for the districts set forth in Sugar Determination No. 28, issued by the Secretary of Agriculture on April 15, 1938, as amended, and (b) that the sum of the points so calculated for each producer of sugar be multiplied by the average annual production of sugar for the two preceding years and the resultant totals of all producers of sugar be used as the basis for the proration.

Basis of Allotment

Section 205 (a) of the act provides, in part, as follows:

Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; or the ability of such person to market or import that portion of such quota or proration thereof allotted to him.

It is believed that, in order to make a fair, efficient, and equitable distribution of the 1940 sugar quota for the mainland cane sugar area, allotments should be made on the basis of (1) processings of sugar from sugarcane to which proportionate shares, determined pursuant to section 302 (b) of the act, pertained, and (2) past marketings of

sugar. In measuring past marketings, it is believed that the use of the most favorable of the following options will afford a fair and reasonable measure of such marketings:

- (a) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1936, 1937, 1938, and 1939;
- (b) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1936, 1937, 1938, and 1939; or
- (c) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1936, 1937, 1938, and 1939.

The use of processings from proportionate shares of sugarcane for the 1939-40 crop will afford a fair and reasonable measure of that standard.

It is believed, further, that the act contemplates a method of allotment which will not only result in a fair, efficient, and equitable distribution of the quota but will, at the same time, afford a maximum of protection to the producers of sugarcane. This result may be accomplished by giving one-fourth weight to past marketings, measured in the manner hereinbefore stated, and three-fourths weight to processings from proportionate shares of sugarcane for the 1939-40 crop. This weighting will result in a fair, efficient, and equitable distribution of the quota, and will also provide an incentive to processors to grind as much proportionate share sugarcane as possible for purposes of future allotments.

The representative of the Louisiana State University requested that the university be given an allotment of 350 tons of sugar, regardless of what allotment it would be entitled to under the method of allotment finally adopted. The witness stated that an allotment of 350 tons of sugar was necessary in order to enable the university to operate its experimental factory at Baton Rouge, which is a non-profit organization operating at considerable expense to the university. It is deemed advisable, therefore, before calculating allotments for other Louisiana processors, to allot to Louisiana State University, from the portion of the quota allocable to Louisiana processors under the foregoing formula, the difference between the quantity of sugar which would be allocated to it under such formula and the 350 tons of sugar requested.

Findings of Fact

On the basis of the record of the hearing, I hereby find that:

1. The effective inventory of all sugar processors in the mainland cane sugar area as of January 1, 1940, was 217,507 short tons of sugar, raw value.
2. The production of sugar for the 1940-41 crop period from proportionate share acreages in the mainland cane sugar area will be approximately 505,000 short tons of sugar, raw value.
3. The total supply of mainland cane sugar available for market in 1940 will be substantially in excess of the 1940 quota for such area.
4. The use of the most favorable of the following options constitutes a fair and reasonable measure of past marketings of sugar for each processor:
 - (1) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1936, 1937, 1938, and 1939;

(2) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1936, 1937, 1938, and 1939; or

(3) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1936, 1937, 1938, and 1939.

5. The past marketings of each processor, measured by the best option of the three given above, are as follows:

Processor	Best option	Amount (short tons, raw value)
Alma Plantation, Ltd	Av. 1936-38-39	7, 279
J. Aron & Co., Inc	Av. 1936-37-39	9, 231
Billeaud Sugar Factory	Av. 1936-38-39	10, 017
Blanchard Planting Company	Av. 1936-37-39	2, 512
Caire & Graugnard	70%—1939	4, 622
Caldwell Sugars, Inc	Av. 1936-37-39	7, 557
A. & J. E. Champagne	Av. 1936-37-38	722
Columbia Sugar Company	Av. 1936-37-39	4, 492
Cora-Texas Manufacturing Co., Inc	Av. 1937-38-39	3, 625
Cypremort Sugar Company, Inc	Av. 1936-38-39	7, 214
Delgado-Albania Plt'n Commission	Av. 1936-37-38	7, 363
Dugas & LeBlanc, Ltd	Av. 1937-38-39	7, 038
Duhe & Bourgeois Sugar Co., Inc	Av. 1937-38-39	5, 165
Erath Sugar Company	Av. 1936-38-39	9, 050
Evan Hall Sugar Cooperative	70%—1939	12, 654
Evangeline Pepper & Food Prod. Co	Av. 1937-38-39	2, 759
W. Prescott Foster	Av. 1936-37-38	6, 862
E. J. Gay Pltg. & Mfg. Co	Av. 1936-38-39	3, 865
Glenwood Sugar Coop., Inc	Av. 1936-38-39	5, 714
Godchaux Sugars, Inc	Av. 1937-38-39	39, 612
Haas Investment Co., Inc	Av. 1937-38-39	3, 195
Helvétia Sugar Cooperative, Inc	Av. 1937-38-39	5, 359
Iberia Sugar Company	Av. 1937-38-39	8, 636
M. J. Kahao	Av. 1936-37-38	1, 048
Kessler & Sternfels	70%—1936	461
Lafourche Sugar Company	Av. 1937-38-39	7, 334
T. Lanaux's Sons	Av. 1936-37-38	540
Harry L. Laws and Co., Inc	Av. 1936-37-39	17, 404
Levert-St. John, Inc	Av. 1936-38-39	11, 398
Louisiana Penitentiary Board	Av. 1936-37-38	6, 302
Louisiana State University	70%—1939	223
Magnolia Sugar Cooperative, Inc	Av. 1936-38-39	3, 989
The Maryland Company, Inc	Av. 1937-38-39	4, 634
S. M. Mayer	70%—1936	290
Meeker Sugar Refining Co	Av. 1937-38-39	6, 406
Milliken & Farwell, Inc	Av. 1936-37-39	15, 266
M. A. Patout & Son	70%—1939	7, 444
Poplar Grove Pltg. & Ref. Co	Av. 1937-38-39	7, 445
Realty Operators, Inc	Av. 1936-37-39	38, 574
Roane Sugars, Inc	Av. 1936-37-38	5, 826
E. G. Robichaux Co., Ltd	Av. 1936-38-39	6, 131
Ruth Sugar Company, Inc	Av. 1936-37-38	2, 733
St. James Operators, Inc	70%—1937	2, 239
San Francisco P. & M. Co., Ltd	Av. 1936-37-39	2, 562
Clarence J. Savoie	Av. 1937-38-39	6, 230
Shadyside Company, Ltd	Av. 1937-38-39	5, 341
Slack Brothers	Av. 1937-38-39	3, 341
Smedes Brothers, Inc	Av. 1936-38-39	3, 494
Mrs. L. M. Soniat (Estate)	Av. 1936-37-38	3, 722
South Coast Corporation	Av. 1936-38-39	39, 191
Sterling Sugars, Inc	Av. 1937-38-39	13, 906
J. Supple's Sons Pltg. Co., Ltd	Av. 1936-37-39	6, 479
Tally Ho, Inc	Av. 1936-37-39	6, 615

Processor	Best option	Amount (short tons, raw value)
Teche Sugar Co., Inc.	Av. 1936-37-38	4, 614
Valentine Sugars, Inc.	Av. 1936-37-39	13, 847
Vermilion Sugar Company	Av. 1936-38-39	6, 668
Vida Sugars, Inc.	Av. 1937-38-39	4, 740
Waguespack Planting Company	Av. 1936-37-39	1, 015
Waterford Sugar Coop., Inc.	Av. 1936-37-39	6, 061
Waverly Sugar Mfg. Co., Ltd.	70%—1937	693
Webre-Steib Company, Ltd.	Av. 1936-37-38	1, 278
A. Wilbert's Sons L. & S. Co.	Av. 1936-37-39	7, 567
Youngsville Sugar Company	Av. 1936-38-39	6, 934
Baldwin Sugar Co.	70%—1939	799
Breaux Bridge Sugar Coop., Inc.	80%—1938-39	3, 741
McCollam Brothers	80%—1937-39	456
D. Moresi's Sons	80%—1938-39	2, 091
Gay Union Corp., Inc. (R. pp. 71-84)		0
Canal Bank and Trust Co. (R. pp. 85-90)		0
Fellsmere Sugar Prod. Association	70%—1939	4, 997
U. S. Sugar Corporation	Av. 1937-38-39	70, 936

6. The use of processings of sugar from proportionate shares of sugarcane for the 1939-40 crop will afford a fair and reasonable measure of the statutory standard of "processings of sugar ---- from ---- sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained."

7. The processings of sugar from proportionate shares of sugarcane for the 1939-40 crop are as follows:

Processor:	Amount (short tons, raw value)
Alma Plantation Ltd.	7, 253
J. Aron & Co., Inc.	7, 259
Billeaud Sugar Factory	10,675
Blanchard Planting Company	2, 513
Caire & Graugnard	3, 189
Caldwell Sugars, Inc.	6, 908
A. & J. E. Champagne	0
Columbia Sugar Company	4, 160
Cora-Texas Manufacturing Co., Inc.	4, 992
Cypremort Sugar Company, Inc.	6, 173
Delgado-Albania Plt'n Commission	5, 921
Dugas & LeBlanc, Ltd.	8, 667
Duhe & Bourgeois Sugar Co., Inc.	7, 250
Erath Sugar Company	10, 197
Evan Hall Sugar Cooperative	11, 241
Evangeline Pepper & Food Prod. Co.	3, 617
W. Prescott Foster	7, 383
E. J. Gay Pltg. Mfg. Co.	3, 170
Glenwood Sugar Coop., Inc.	6, 569
Godchaux Sugars, Inc.	33, 499
Hass Investment Co., Inc.	3, 362
Helvetia Sugar Cooperative, Inc.	4, 739
Iberia Sugar Company	11, 352
M. J. Kahao	0
Kessler & Sternfels	301
Lafourche Sugar Company	6, 885
T. Lanaux's Sons	0
Harry L. Laws & Co., Inc.	16, 315
Levert-St. John, Inc.	9, 944
Louisiana Penitentiary Board	5, 363

	<i>Amount (short tons, raw value)</i>
Processor—Continued.	
Louisiana State University	318
Magnolia Sugar Cooperative, Inc	4,382
The Maryland Company, Inc	4,234
S. M. Mayer	0
Meeker Sugar Refining Co	6,751
Milliken & Farwell, Inc	14,638
M. A. Patout & Son	6,621
Poplar Grove Pltg. & Ref. Co	6,888
Realty Operators, Inc	33,638
Roane Sugars, Inc	6,205
E. G. Robichaux Co., Ltd	5,461
Ruth Sugar Company, Inc	3,166
St. James Operators, Inc	0
San Francisco P. & M. Co., Ltd	1,459
Clarence J. Savoie	7,276
Shadyside Company, Ltd	6,062
Slack Brothers	3,464
Smedes Brothers, Inc	3,530
Mrs. L. M. Soniat (Estate)	3,979
South Coast Corporation	32,239
Sterling Sugars, Inc	12,548
J. Supple's Sons Pltg. Co., Ltd	5,227
Tally Ho, Inc	4,145
Teche Sugar Co., Inc	5,016
Valentine Sugars, Inc	8,401
Vermilion Sugar Company	6,853
Vida Sugars, Inc	3,843
Waguespack Planting Company	0
Waterford Sugar Corp., Inc	5,877
Waverly Sugar Mfg. Co., Ltd	0
Webre-Steib Company, Ltd	847
A. Wilbert's Sons L. & S. Co	6,894
Youngsville Sugar Company	6,652
Baldwin Sugar Company	1,457
Breaux Bridge Sugar Coop., Inc	7,046
McCollam Brothers	0
D. Moresi's Sons	3,195
Gay Union Corp., Inc	0
Canal Bank and Trust Co	0
Fellsmere Sugar Prod. Association	4,567
U. S. Sugar Corporation	65,345

8. The giving of one-fourth weight to past marketings of sugar and three-fourths weight to processings of sugar from proportionate shares of sugarcane for the 1939-40 crop will result in allotments to processors which are fair and reasonable, and will afford protection to the producers of proportionate share sugarcane.

Conclusions

On the basis of the foregoing, and after consideration of the briefs submitted by interested persons following the hearing and the objections filed in opposition to the proposed findings of fact, conclusions, and order of the presiding officers who conducted the hearing, I hereby determine and conclude that the allotment of the 1940 sugar quota for the mainland cane sugar area is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and that, in order to make a fair, efficient, and equitable distribution of such quota, as required by section 205 (a) of the act,

allotments should be made by giving one-fourth weight to past marketings, measured by the most favorable of the following three options:

(1) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1936, 1937, 1938, and 1939;

(2) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1936, 1937, 1938, and 1939;

(3) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1936, 1937, 1938, and 1939;

and by giving three-fourths weight to processings from proportionate shares of sugarcane for the 1939-40 crop.

ORDER

Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered that:

Original Allotments

SEC. 1. The 1940 sugar quota for the mainland cane sugar area is hereby allotted to the following processors in the amounts which appear opposite their respective names:

Processor:	Allotment (short tons, raw value)
Alma Plantation, Ltd	5,896
J. Aron & Co., Inc	6,295
Billeaud Sugar Factory	8,535
Blanchard Planting Company	2,041
Caire & Graugnard	2,880
Caldwell Sugars, Inc	5,742
A. & J. E. Champagne	146
Columbia Sugar Company	3,446
Cora-Texas Manufacturing Co., Inc	3,776
Cypremort Sugar Company, Inc	5,224
Delgado-Albania Plt'n Commission	5,102
Dugas & LeBlanc, Ltd	6,708
Duhe & Bourgeois Sugar Co., Inc	5,465
Erath Sugar Company	8,048
Evan Hall Sugar Cooperative	9,415
Evangeline Pepper & Food Prod. Co	2,764
W. Prescott Foster	5,890
E. J. Gay Pltg. Mfg. Co	2,716
Glenwood Sugar Coop., Inc	5,161
Godchaux Sugars, Inc	28,445
Haas Investment Co., Inc	2,696
Helvetia Sugar Cooperative, Inc	3,974
Iberia Sugar Company	8,667
M. J. Kahao	213
Kessler & Sternfels	277
Lafourche Sugar Company	5,682
T. Lanoux's Sons	110
Harry L. Laws & Co., Inc	13,470
Levert-St. John, Inc	8,371
Louisiana Penitentiary Board	4,546
Louisiana State University	350
Magnolia Sugar Cooperative, Inc	3,479
The Maryland Company, Inc	3,520
S. M. Mayer	59
Meeker Sugar Refining Co	5,413
Milliken & Farwell, Inc	12,015
M. A. Patout & Son	5,544
Poplar Grove Pltg. & Ref. Co	5,707

Processor—Continued.	<i>Allotment (short tons, raw value)</i>
Realty Operators, Inc.....	28,319
Roane Sugars, Inc.....	4,962
E. G. Robichaux Co., Ltd.....	4,570
Ruth Sugar Company, Inc.....	2,483
St. James Operators, Inc.....	455
San Francisco P. & M. Co., Ltd.....	1,409
Clarence J. Savoie.....	5,696
Shadyside Company, Ltd.....	4,777
Slack Brothers.....	2,788
Smedes Brothers, Inc.....	2,859
Mrs. L. M. Soniat (Estate).....	3,179
South Coast Corporation.....	27,593
Sterling Sugars, Inc.....	10,466
J. Supple's Sons Pltg. Co., Ltd.....	4,499
Tally Ho, Inc.....	3,867
Teche Sugar Co., Inc.....	3,992
Valentine Sugars, Inc.....	7,928
Vermilion Sugar Company.....	5,528
Vida Sugars, Inc.....	3,303
Waguespack Planting Company.....	206
Waterford Sugar Coop. Inc.....	4,810
Waverly Sugar Mfg. Co., Ltd.....	140
Webre-Steib Company, Ltd.....	776
A. Wilbert's Sons L. & S. Co.....	5,735
Youngsville Sugar Company.....	5,459
Baldwin Sugar Company.....	1,050
Breaux Bridge Sugar Coop., Inc.....	5,051
McCollam Brothers.....	93
D. Moresi's Sons.....	2,371
Fellsmere Sugar Prod. Association.....	3,797
U. S. Sugar Corporation.....	54,218
Other Processors.....	0
Total.....	420,167

Additional Allotments

SEC. 2. Any increase or decrease in the 1940 sugar quota for the mainland cane sugar area shall be prorated among processors on the basis of the allotments set forth above, and such allotments shall be increased or decreased, as the case may be, accordingly.

Restrictions on Marketing

SEC. 3. Processors of sugarcane in the mainland cane sugar area are hereby prohibited from shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugarcane grown in the mainland cane sugar area in excess of the marketing allotments established in Secs. 1 and 2 hereof.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 27th day of April 1940.

[SEAL]

GROVER B. HILL,
Acting Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE**AGRICULTURAL ADJUSTMENT ADMINISTRATION**WASHINGTON, D. C.

**DECISION AND ORDER OF THE SECRETARY OF AGRICULTURE ALLOT-
TING THE 1941 SUGAR QUOTA FOR THE MAINLAND CANE SUGAR
AREA****Preliminary Statement**

General Sugar Quota Regulations. Series 8, No. 1, Revision 1, issued by the Secretary of Agriculture pursuant to the provisions of the Sugar Act of 1937, as amended (hereinafter referred to as the "act"), established a 1941 sugar quota for the mainland cane sugar area of 430,794 short tons, raw value.¹

Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota whenever he finds that the allotment is necessary (a) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate commerce, (b) to prevent the disorderly marketing of sugar or liquid sugar, (c) to maintain a continuous and stable supply of sugar or liquid sugar, or (d) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for any area. Section 205 (a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulations prescribe.

On January 31, 1941, the Secretary issued the following finding:

Pursuant to the authority contained in section 205 (a) of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, and on the basis of information now before me, I, Claude R. Wickard, Secretary of Agriculture, do hereby find that the allotment of the 1941 sugar quota for the mainland cane sugar area is necessary to prevent the disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States * * *.

The Secretary, on the basis of that finding and pursuant to General Sugar Regulations, Series 2, No. 2, Revised, gave due notice of a public hearing to be held at Baton Rouge, Louisiana, on February 14, 1941, for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of the 1941 sugar quota for the mainland cane sugar area among persons who market such sugar in the continental United States.

The hearing was duly held at the time and place specified in the notice.

The presiding officer announced at the hearing that the finding of necessity for the allotment of the quota was in the nature of a preliminary finding based on the best information available to the Secretary at the time and that it would be appropriate at the hearing to present evidence on the basis of which the Secretary might affirm, modify, or change such preliminary findings and make or withhold allotment of the quota in accordance therewith.

¹ All calculations are based on this revised quota.

Upon the preliminary question of necessity for the allotment, the representative of the Sugar Division testified that, on the basis of information available to the Department, an estimated total supply of approximately 600,000 short tons, raw value, of mainland cane sugar would be available for market in 1941. This estimate was based on a January 1, 1941, effective inventory² of 155,000 short tons of sugar and an estimated production during the calendar year 1941 of 445,000 short tons of sugar from proportionate shares of sugarcane of the 1941-42 crop. The witness testified, further, that in view of the definition of marketing now in effect, which would permit any processor to market during 1941 all of the sugar processed during such year, and the uneven distribution among processors of the January 1, 1941, effective inventory for the industry, it is reasonable to assume that, without allotments, many processors would be unable to market their fair share of the quota during the calendar year.

The representative of the United States Sugar Corporation stated that he did not believe allotments to be necessary but offered no facts in support of such statement. The testimony on behalf of the Louisiana processors tended, generally, to confirm the position taken by the representative of the Sugar Division that allotment of the quota is necessary.

In regard to the manner in which allotments should be made, the representative of the United States Sugar Corporation recommended that the Secretary allot the quota on the same basis used in 1939 and 1940. The witness stated that the formula, by giving greatest weight to production from proportionate shares, tends to protect the interest of independent producers. He also stated that the formula had been approved by Louisiana processors in the past and had been considered by the Secretary to be fair, efficient, and equitable in prior years. The formula, the witness stated, is just as fair, efficient, and equitable today and should, therefore, be adopted by the Secretary for 1941. The representative of Fellsmere Sugar Producers' Association testified that he was in full accord with the testimony offered on behalf of the United States Sugar Corporation.

The representative of all Louisiana processors active during the past grinding season recommended that the Secretary allot the quota on the same basis used in 1939 and 1940, namely, past marketings of sugar and processings of sugar from proportionate shares of sugarcane, weighed one-fourth and three-fourths, respectively. The witness recommended, further, that past marketings be measured, as in prior years, by the use of the most favorable of the following options:

(1) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1937, 1938, 1939, and 1940.

(2) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1937, 1938, 1939, and 1940, or

(3) 70 percent of the quantity of sugar marketed during any one of the calendar years 1937, 1938, 1939, and 1940.

The witness urged, however, that, instead of measuring processings of sugar from proportionate shares of sugarcane by the use of proc-

² Effective inventory is the quantity of sugar on hand on January 1, 1941, plus the estimated quantity to be produced after January 1, 1941, from the 1940-41 crop of sugarcane.

essings from the next preceding crop, as was done in 1939 and 1940, processings of sugar from proportionate shares of sugarcane be measured in one of the following two ways:

(1) the average quantity of sugar processed from proportionate shares of sugarcane of the two largest of the 1938-39, 1939-40, and 1940-41 crops, or

(2) the estimated processings from proportionate shares of sugarcane of the 1940-41 crop for Florida and the 1941-42 crop for Louisiana, since the major portion of the processings from these crops is available for market during 1941. The estimated production of each Louisiana processor for the crop in question would be determined by multiplying the total estimated production of sugar for Louisiana from such crop by a percentage determined by dividing the average processings for each processor from proportionate shares of sugarcane of the 1938-39, 1939-40, and 1940-41 crops by the sum of such averages.

The objection of the Louisiana processors to the use of processings from the 1940-41 crop, as a measure of the standard of "processings from proportionate shares," is based on a deficiency in that crop due to freezes, floods, and wind. The total production of sugar from proportionate shares of sugarcane of the 1940-41 crop in Louisiana was approximately 50 percent of the amount produced from proportionate shares of the 1939-40 crop. The sugar production for individual processors in Louisiana varied from 23 to 68 percent of the sugar produced from proportionate shares of the 1939-40 crop. The witness for the Louisiana processors stated that, if processings from the 1940-41 crop were used as a measure of the standard of "processings from proportionate shares," some processors would, by reason of reduced processings in 1940 and small allotments, find it difficult, if not impossible, to finance their operations during the fall of 1941. This situation, it was stated, would render some processors unable to purchase and pay for proportionate share sugarcane thereby working a hardship on producers of sugarcane.

The Louisiana processors recommended, further, that Louisiana State University be given an allotment of 350 tons of sugar, regardless of what allotment it would be entitled to under the method of allotment finally adopted.

Basis of Allotment

Section 205 (a) of the act provides, in part, as follows:

Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; or the ability of such person to market or import that portion of such quota or proration thereof allotted to him.

It is believed that, in order to make a fair, efficient, and equitable distribution of the 1941 sugar quota for the mainland cane sugar area, allotments should be made on the basis of (1) processings of sugar from proportionate shares of sugarcane, and (2) past marketings of sugar. As heretofore stated in the summary of testimony, past marketings have been measured in prior years by the use of the most favorable of three options. This was deemed to be a fair

measure in view of the fact that certain processors had not been engaged in business long enough to establish a normal position in the industry. However, since all processors, with the exception of Louisiana State University (hereinafter given special consideration), have marketed sugar for the past three years, it is believed that the use of the average quantity of sugar marketed by each processor during the three calendar years 1938, 1939, and 1940, will afford a fair and reasonable measure of past marketings.

The record shows that a large part of the mainland cane sugar area experienced a serious crop shortage in 1940 due to floods and freezes. It is believed that recognition should be given to these circumstances. Consequently, the use of processing from proportionate shares of the 1939-40 and 1940-41 crop, with a weighting of 1 and 2, respectively, will afford such recognition and will constitute a fair and reasonable measure of that statutory standard.

The act contemplates a method of allotment which will, in addition to providing a fair, efficient, and equitable distribution of the quota, afford protection to producers of sugarcane. This result may be accomplished by giving one-fourth weight to past marketings and three-fourths weight to processings, measured in the manner stated above. This weighting will result in a fair, efficient, and equitable distribution of the quota, and will also provide an incentive to processors to grind as much proportionate share sugarcane as possible for purposes of future allotments.

The Louisiana processors recommended at the hearing that Louisiana State University be given an allotment of 350 tons of sugar, regardless of the allotment it would be entitled to under the method of allotment finally adopted. This allotment is necessary in order to enable the University to operate its experimental factory at Baton Rouge, which is a non-profit organization operating at considerable expense to the University. It is deemed advisable, therefore, before calculating allotments for other Louisiana processors, to allot to Louisiana State University, from the portion of the quota allocable to Louisiana processors under the foregoing formula, the difference between the quantity of sugar which would be allocated to it under such formula and the 350 tons of sugar requested.

Findings of Fact

On the basis of the record of the hearing, I hereby find that:

1. The effective inventory of all sugar processors in the mainland cane sugar area as of January 1, 1941, was 155,095 short tons of sugar, raw value.

2. The production of sugar for the 1941-42 crop period from proportionate share acreages in the mainland cane sugar area will be approximately 525,000 short tons of sugar, raw value, of which 445,000 short tons will be available for market prior to January 1, 1942.

3. The total supply of mainland cane sugar available for market in 1941 will be substantially in excess of the 1941 quota for the area.

4. A fair and reasonable measure of past marketings of each processor is the average quantity of sugar marketed during the three calendar years 1938, 1939, and 1940, and the past marketings of each processor so measured are as follows:

	<i>Short tons, raw value</i>
Alma Plantation, Ltd.....	6,600
J. Aron & Co., Inc.....	7,260
Baldwin Sugar Co.....	907
Billeaud Sugar Factory.....	9,743
Blanchard Planting Co.....	2,138
Breaux Bridge Sugar Coop., Inc.....	5,011
Burton-Sutton Oil Co., Inc.....	2,942
Caire & Graugnard.....	3,462
Caldwell Sugars, Inc.....	5,830
Columbia Sugar Co.....	3,780
Cora-Texas Manufacturing Co., Inc.....	3,912
Cypremort Sugar Co., Inc.....	7,274
Delgado-Albania Plt'n Commission.....	6,284
Dugas & LeBlanc, Ltd.....	7,094
Duhe & Bourgeois Sugar Co., Inc.....	5,779
Erath Sugar Co.....	8,852
Evangeline Pepper & Food Prod. Co.....	2,945
Evan Hall Sugar Cooperative.....	9,859
W. Prescott Foster.....	6,057
E. J. Gay Pltg. & Mfg. Co.....	3,139
Glenwood Sugar Coop., Inc.....	5,786
Godchaux Sugars, Inc.....	31,067
Haas Investment Co., Inc.....	2,222
Helvetia Sugar Cooperative, Inc.....	4,260
Iberia Sugar Co.....	10,335
Kessler & Sternfels.....	164
Lafourche Sugar Co.....	6,810
Harry L. Laws and Co., Inc.....	15,192
Levert-St. John, Inc.....	10,668
Louisiana Penitentiary Board.....	5,036
Louisiana State University.....	254
Magnolia Sugar Cooperative, Inc.....	3,825
The Maryland Co., Inc.....	4,183
Meeker Sugar Refining Co.....	5,858
Milliken & Farwell, Inc.....	13,061
D. Moresi's Sons.....	2,634
M. A. Patout & Son.....	6,743
Poplar Grove Pltg. & Ref. Co.....	6,368
Realty Operators, Inc.....	26,452
Roane Sugars, Inc.....	4,976
E. G. Robichaux Co., Ltd.....	5,441
Ruth Sugar Co., Inc.....	2,368
San Francisco P. & M. Co., Ltd.....	1,663
Clarence J. Savoie.....	6,031
Shadyside Co., Ltd.....	5,157
Slack Brothers.....	3,284
Smedes Brothers, Inc.....	3,178
South Coast Corporation.....	36,199
Sterling Sugars, Inc.....	13,338
J. Supple's Sons Pltg. Co., Ltd.....	4,374
Tally Ho, Inc.....	4,608
Teche Sugar Co., Inc.....	4,179
Valentine Sugars, Inc.....	8,173
Vermilion Sugar Co.....	6,119
Vida Sugars, Inc.....	3,466
Waterford Sugar Coop., Inc.....	5,911
A. Wilbert's Sons L. & S. Co.....	5,943
Youngsville Sugar Co.....	5,932
Fellsmere Sugar Prod. Association.....	5,208
U. S. Sugar Corporation.....	71,861

5. A fair and reasonable measure of each processor's processings of sugar from sugarcane to which proportionate shares, determined pursuant to section 302 of the act, pertained, is the weighted average of the amounts of the processings from the 1939-40 and 1940-41 crops,

with a weighting of 1 and 2, respectively, and each processor's processings so measured are as follows:

	<i>Short tons, raw value</i>
Alma Plantation, Ltd.....	5, 189
J. Aron & Co., Inc.....	5, 103
Baldwin Sugar Co.....	711
Billeaud Sugar Factory.....	7, 296
Blanchard Planting Co.....	1, 739
Breaux Bridge Sugar Coop., Inc.....	4, 753
Burton-Sutton Oil Co., Inc.....	2, 701
Caire & Graugnard.....	2, 559
Caldwell Sugars, Inc.....	4, 231
Columbia Sugar Co.....	2, 677
Cora-Texas Manufacturing Co., Inc.....	3, 360
Cypremort Sugar Co., Inc.....	4, 143
Delgado-Albania Plt'n Commission.....	4, 205
Dugas & LeBlanc, Ltd.....	5, 952
Duhe & Bourgeois Sugar Co., Inc.....	4, 912
Erath Sugar Co.....	5, 634
Evangeline Pepper & Food Prod. Co.....	2, 159
Evan Hall Sugar Cooperative.....	7, 948
W. Prescott Foster.....	4, 791
E. J. Gay Pltg. & Mfg. Co.....	2, 072
Glenwood Sugar Coop., Inc.....	4, 015
Godchaux Sugars, Inc.....	22, 808
Haas Investment Co., Inc.....	1, 891
Helvetia Sugar Cooperative, Inc.....	3, 043
Iberia Sugar Co.....	8, 392
Kessler & Sternfels.....	200
Lafourche Sugar Co.....	4, 866
Harry L. Laws and Co., Inc.....	11, 409
Levert-St. John, Inc.....	7, 488
Louisiana Penitentiary Board.....	3, 789
Louisiana State University.....	234
Magnolia Sugar Cooperative, Inc.....	3, 046
The Maryland Co., Inc.....	2, 639
Meeker Sugar Refining Co.....	4, 596
Milliken & Farwell, Inc.....	9, 544
D. Moresi's Sons.....	2, 327
M. A. Patout & Son.....	4, 897
Poplar Grove Pltg. & Ref. Co.....	4, 874
Realty Operators, Inc.....	24, 813
Roane Sugars, Inc.....	3, 904
E. G. Robichaux Co., Ltd.....	3, 187
Ruth Sugar Co., Inc.....	1, 687
San Francisco P. & M. Co., Ltd.....	927
Clarence J. Savoie.....	4, 935
Shadyside Co., Ltd.....	3, 782
Slack Brothers.....	2, 155
Smedes Brothers, Inc.....	2, 160
South Coast Corporation.....	21, 676
Sterling Sugars, Inc.....	8, 095
J. Supple's Sons Pltg. Co., Ltd.....	3, 227
Tally Ho, Inc.....	2, 698
Teche Sugar Co., Inc.....	3, 638
Valentine Sugars, Inc.....	5, 982
Vermilion Sugar Co.....	3, 785
Vida Sugars, Inc.....	2, 976
Waterford Sugar Coop., Inc.....	3, 673
A. Wilbert's Sons L. & S. Co.....	5, 068
Youngsville Sugar Co.....	3, 738
Fellsmere Sugar Prod. Association ¹	5, 075
U. S. Sugar Corporation ¹	73, 506

¹ Actual production for 1940-41 crop used instead of estimate.

6. The use of a formula giving one-fourth weight to past marketings and three-fourths weight to processings, as measured above, will result in allotments to processors that are fair and reasonable and will afford protection to the producers of proportionate share sugarcane.

7. The following companies will not market sugar in 1941 and should, therefore, receive no allotment:

A. & J. E. Champagne
M. J. Kahao
T. Lanaux's Sons
S. M. Mayer

McCollam Brothers
Waguespack Planting Co.
Webre-Steih Co. Ltd.
Waverly Sugar Mfg. Co., Ltd.

Conclusions

On the basis of the foregoing, and after consideration of the briefs submitted by interested persons following the hearing and the exceptions filed to the proposed findings of fact, conclusions, and orders of the presiding officers, I hereby determine and conclude that the allotment of the 1941 sugar quota for the mainland cane sugar area is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States; and that in order to make a fair, efficient, and equitable distribution of such quota, as required by section 205 (a) of the act, allotments should be made by giving one-fourth weight to past marketings and three-fourths weight to processings of sugar from proportionate shares of sugarcane, as measured and found in the findings of fact made above.

Order

Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered that:

SECTION 1.—*Original allotments.*—The 1941 sugar quota for the mainland cane sugar area is hereby allotted to the following processors in the amounts which appear opposite their respective names:

Processor :	<i>Allotment (short tons, raw value)</i>
Alma Plantation, Ltd.....	5,983
J. Aron & Co., Inc.....	6,091
Baldwin Sugar Co.....	820
Billeaud Sugar Factory.....	8,537
Blanchard Planting Co.....	1,985
Breaux Bridge Sugar Coop., Inc.....	5,201
Burton-Sutton Oil Co., Inc.....	2,981
Caire & Graugnard.....	3,006
Caldwell Sugars, Inc.....	4,999
Columbia Sugar Co.....	3,188
Cora-Texas Manufacturing Co., Inc.....	3,776
Cypremort Sugar Co., Inc.....	5,318
Delgado-Albania Plt'n Commission.....	5,101
Dugas & LeBlanc, Ltd.....	6,734
Duhe & Bourgeois Sugar Co., Inc.....	5,537
Erath Sugar Co.....	6,950
Evangeline Pepper & Food Prod. Co.....	2,542
Evan Hall Sugar Cooperative.....	9,096
W. Prescott Foster.....	5,514
E. J. Gay Pltg. & Mfg. Co.....	2,525
Glenwood Sugar Coop., Inc.....	4,812
Godchaux Sugars, Inc.....	26,850
Haas Investment Co., Inc.....	2,131

	<i>Allotment (short tons, raw value)</i>
Processor—Continued.	
Helvetia Sugar Cooperative, Inc.....	3,613
Iberia Sugar Co.....	9,584
Kessler & Sternfels.....	206
Lafourche Sugar Co.....	5,777
Harry L. Laws and Co., Inc.....	13,337
Levert-St. John, Inc.....	8,942
Louisiana Penitentiary Board.....	4,427
Louisiana State University.....	350
Magnolia Sugar Cooperative, Inc.....	3,499
The Maryland Co., Inc.....	3,265
Meeker Sugar Refining Co.....	5,303
Milliken & Farwell, Inc.....	11,252
D. Moresi's Sons.....	2,595
M. A. Patout & Son.....	5,784
Poplar Grove Pltg. & Ref. Co.....	5,665
Realty Operators, Inc.....	27,223
Roane Sugars, Inc.....	4,504
E. O. Robichaux Co., Ltd.....	4,048
Ruth Sugar Co., Inc.....	2,005
San Francisco P. & M. Co., Ltd.....	1,199
Clarence J. Savoie.....	5,623
Shadyside Co., Ltd.....	4,454
Slack Brothers.....	2,631
Smedes Brothers, Inc.....	2,606
South Coast Corporation.....	27,319
Sterling Sugars, Inc.....	10,154
J. Supple's Sons Pltg. Co., Ltd.....	3,793
Tally Ho, Inc.....	3,428
Teche Sugar Co., Inc.....	4,073
Valentine Sugars, Inc.....	7,049
Vermilion Sugar Co.....	4,715
Vida Sugars, Inc.....	3,344
Waterford Sugar Coop., Inc.....	4,568
A. Wilbert's Sons L. & S. Co.....	5,707
Youngsville Sugar Co.....	4,627
Fellsmere Sugar Prod. Association.....	5,516
U. S. Sugar Corporation.....	78,927
Other processors.....	0
Total.....	430,794

SEC. 2.—*Additional allotments.*—Any increase or decrease in the 1941 sugar quota for the mainland cane sugar area shall be prorated among processors on the basis of the allotments set forth above, and such allotments shall be increased or decreased, as the case may be, accordingly.

SEC. 3.—*Restrictions on marketing.*—The processors mentioned above are hereby prohibited from shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugarcane grown in the mainland cane sugar area in excess of the marketing allotments set forth above.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, City of Washington, this 19th day of May, 1941

[SEAL]

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

5u3M
~~Reserve~~

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

RECISSION OF ORDER ALLOTING THE 1941 SUGAR QUOTA FOR THE
MAINLAND CANE SUGAR AREA

Pursuant to the authority conferred upon the Secretary of Agriculture under the Sugar Act of 1937, as amended, and on the basis of information now before the Secretary of Agriculture, it is hereby found and determined that the allotment of the 1941 sugar quota for the mainland cane sugar area is no longer necessary to accomplish the purposes of the act, and the "Decision and Order of the Secretary of Agriculture Allotting the 1941 Sugar Quota for the Mainland Cane Sugar Area", issued May 19, 1941, is hereby rescinded.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 26th day of August, 1941.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

U. S. Department of Agriculture
WASHINGTON, D. C.

[MAINLAND CANE SUGAR ORDER NO. 2]

AMENDMENT TO DECISION AND ORDER ALLOTING THE 1940 SUGAR
QUOTA FOR THE MAINLAND CANE SUGAR AREA

Whereas by order dated April 27, 1940, the Secretary of Agriculture allotted the 1940 sugar quota for the mainland cane sugar area among processors of sugarcane; and

Whereas certain processors have informed the Secretary that they will be unable to fill their 1940 marketing allotments and have requested the Secretary to reallocate such deficiencies among other processors with sugar in excess of their allotments; and

Whereas section 205 (a) of the Sugar Act of 1937, as amended, provides, in part, as follows:

The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made.

And whereas all processors having deficiencies in their 1940 marketing allotments have waived their right to a hearing with respect to this amendment to the "Decision and Order of the Secretary of Agriculture Allotting the 1940 Sugar Quota for the Mainland Cane Sugar Area," issued April 27, 1940:

Now, therefore, upon the basis of the foregoing and pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the Sugar Act of 1937, as amended, Sec. 1 of the "Decision and Order of the Secretary of Agriculture allotting the 1940 Sugar Quota for the Mainland Cane Sugar Area", issued April 27, 1940, is hereby amended to read as follows:

SEC. 1. Revised allotments.—The 1940 sugar quota for the mainland cane sugar area is hereby allotted to the following processors in the amounts which appear opposite their respective names:

Processor:	Allotment (short tons, raw value)
Alma Plantation, Ltd.....	4, 104
J. Aron & Co., Inc.....	6, 639
Billeaud Sugar Factory.....	8, 959
Blanchard Planting Company.....	2, 301
Caire & Graugnard.....	2, 410
Caldwell Sugars, Inc.....	6, 473
A. & J. E. Champagne.....	0
Columbia Sugar Company.....	3, 885
Cora-Texas Manufacturing Co., Inc.....	4, 257
Cypremort Sugar Company, Inc.....	5, 889
Delgado-Albania Pl't'n Commission.....	5, 752
Dugas & LeBlanc, Ltd.....	7, 562
Duhe & Bourgeois Sugar Co., Inc.....	6, 161
Erath Sugar Company.....	8, 738
Evan Hall Sugar Cooperative.....	6, 910
Evangeline Pepper & Food Prod. Co.....	2, 682

Processor—Continued.		Allotment (short tons, row value)
W. Prescott Foster	-----	6,640
E. J. Gay Ptg. Mfg. Co.	-----	3,062
Glenwood Sugar Coop., Inc.	-----	5,818
Godchaux Sugars, Inc.	-----	20,525
Haas Investment Co., Inc.	-----	3,039
Helvetia Sugar Cooperative, Inc.	-----	2,248
Iberia Sugar Company	-----	9,770
M. J. Kahao	-----	0
Kessler & Sternfels	-----	142
Lafourche Sugar Company	-----	4,067
T. Lanaux's Sons	-----	0
Harry L. Laws & Co., Inc.	-----	15,185
Levert-St. John, Inc.	-----	7,031
Louisiana Penitentiary Board	-----	3,119
Louisiana State University	-----	193
Magnolia Sugar Cooperative, Inc.	-----	3,922
The Maryland Company, Inc.	-----	2,420
S. M. Mayer	-----	0
Meeker Sugar Refining Co.	-----	4,044
Milliken & Farwell, Inc.	-----	12,739
M. A. Patout & Son	-----	4,382
Poplar Grove Pltg. & Ref. Co.	-----	3,900
Realty Operators, Inc.	-----	31,925
Roane Sugars, Inc.	-----	3,482
E. G. Robichaux Co., Ltd.	-----	4,430
Ruth Sugar Company, Inc.	-----	2,320
St. James Operators, Inc.	-----	0
San Francisco P. & M. Co., Ltd.	-----	1,588
Clarence J. Savoie	-----	6,421
Shadyside Company, Ltd.	-----	5,385
Slack Brothers	-----	2,925
Smedes Brothers, Inc.	-----	3,223
Mrs. L. M. Soniat (Estate)	-----	3,584
South Coast Corporation	-----	31,106
Sterling Sugars, Inc.	-----	11,799
J. Supple's Sons Pltg. Co., Ltd.	-----	4,292
Tally Ho, Inc.	-----	2,182
Teche Sugar Co., Inc.	-----	4,500
Valentine Sugars, Inc.	-----	6,265
Vermilion Sugar Company	-----	4,968
Vida Sugars, Inc.	-----	2,576
Waguespack Planting Company	-----	232
Waterford Sugar Coop., Inc.	-----	5,422
Waverly Sugar Mfg. Co., Ltd.	-----	156
Webre-Steib Company, Ltd.	-----	875
A. Wilbert's Sons L. & S. Co.	-----	6,465
Youngsville Sugar Company	-----	4,297
Baldwin Sugar Company	-----	1,011
Breaux Bridge Sugar Coop., Inc.	-----	5,694
McCollam Brothers	-----	0
D. Moresi's Sons	-----	2,673
Fellsmere Sugar Prod. Association	-----	4,280
U. S. Sugar Corporation	-----	61,121
Other processors	-----	0
Total	-----	420,167

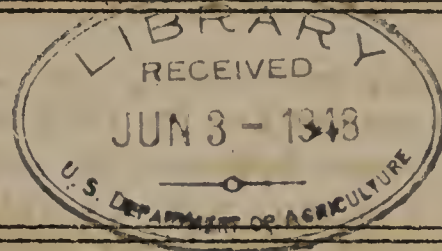
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 21st day of December 1940.

[SEAL]

CLAUDE R. WICKARD.
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE

SUGAR DIVISION, WASHINGTON, D. C.



DECISION AND ORDER OF SECRETARY OF AGRICULTURE ALLOTING THE 1939 SUGAR QUOTA FOR THE MAINLAND CANE SUGAR AREA

PRELIMINARY STATEMENT

General Sugar Quota Regulations, Series 6, No. 1, Rev. 1, issued by the Secretary of Agriculture pursuant to the Sugar Act of 1937 (hereinafter referred to as the "act"), established a 1939 sugar quota for the mainland cane sugar area of 424,727 short tons, raw value.

Under the provisions of section 205(a) of the act, the Secretary is required to allot a quota whenever he finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for any area. Section 205(a) also provides that such allotment shall be made after such hearing and upon such notices as the Secretary may by regulation prescribe.

On January 18, 1939, the Secretary issued the following finding:

"Pursuant to the authority contained in Section 205(a) of the Sugar Act of 1937 (Public No. 414, 75th Congress) and on the basis of the information now before me, I, H. A. Wallace, Secretary of Agriculture, do hereby find that the allotment of the 1939 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States. * * *"

The Secretary, on the basis of such finding and pursuant to General Sugar Regulations, Series 2, No. 2 (revised February 3, 1939), gave due notice of a public hearing to be held at Atlanta, Georgia, on February 7, 1939, for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of the 1939 sugar quota for the mainland cane sugar area among persons who market such sugar in the continental United States. On January 28, 1939, the Secretary issued an amendment to the notice of hearing changing the place of the hearing to Mobile, Alabama, and the date to February 8, 1939.

The hearing was held at Mobile, Alabama, on the date specified in the amended notice.

Upon the preliminary question of the necessity for making allotments, the representative of the Sugar Division testified that, upon the basis of information available to the Department, the total supply of mainland cane sugar available for marketing in 1939 would be approximately 648,000 short tons, raw value; or 219,447 short tons, raw value, in excess of the 1939 quota for the area of 429,553 short tons, raw value (R. p. 18). These figures were based upon an estimated quantity of 1938-39 crop sugar available for distribution after January 1, 1939, of 303,000 short

tons, raw value, and an estimated quantity of the 1939-40 crop sugar available for distribution in 1939 of 345,000 short tons. The latter figure represents the difference between the estimated production from 1939-40 crop of 406,000 short tons, raw value, and the estimated production after December 31, 1939, from such crop of 61,000 short tons, raw value (R. p. 19). No testimony was offered to the effect that allotment of the 1939 quota was unnecessary.

In regard to the manner in which allotments should be made, the representative of the Sugar Division proposed that allotments be made on the basis of the first two standards given in the act, namely, processings of sugar from sugarcane to which proportionate shares, determined pursuant to section 302(b) of the act, pertained, and "past marketings" of sugar, inasmuch as the use of these standards would afford a reasonable and satisfactory measure of the other standard given in the act, that of "ability * * * to market" sugar (R. p. 20). The representative of the Sugar Division then proposed that each processor's share of the total quota be computed by giving equal weight to (1) "processings from proportionate shares" for the next preceding crop year of factory operation and (2) "past marketings" measured by any one of the following three options:

(1) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1935, 1936, 1937, and 1938.

(2) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1935, 1936, 1937, and 1938, or

(3) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1935, 1936, 1937, and 1938. (R. pp. 21, 22.)

The representative of 56 of the 68 Louisiana processors (R. pp. 142-145) proposed that allotments be made so as to permit all processors to market all sugar on hand on January 1, 1939, and that the difference between the total quantity of sugar on hand on such date and the 1939 quota be allotted among all processors in accordance with the formula proposed by the representative of the Sugar Division (Barron, R. pp. 146, 147). The representative of the New Iberia Sugar Cooperative, Incorporated testified in favor of the proposal of the representative of the Sugar Division, but proposed that, in order to afford protection to growers, 25 percent weight be given to past marketings and 75 percent weight be given to "processings from proportionate shares" (Landry, R. p. 176). The representative of the Vida Sugars, Incorporated, recommended that the proposal of the representative of the Sugar Division be adopted by the Secretary in fixing allotments (Blumenthal, R. p. 222).

BASIS OF ALLOTMENT

Section 205(a) of the act provides, in part, as follows:

Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of such person; or the ability of such person to market or import that portion of such quota or proration thereof allotted to him.

It is believed that, in order to make a fair, efficient, and equitable distribution of the 1939 sugar quota for the mainland cane sugar area, allotments should be made on the basis of (1) processings of sugar from sugarcane to which proportionate shares, determined pursuant to section 302(b) of the act, pertained and (2) past marketings of sugar. In measuring past marketings, it is believed that the use of the most favorable option of the three proposed by the representative of the Sugar Division will afford a fair and reasonable measure of such marketings. The use of processings from proportionate shares of sugarcane for the 1938-39 crop will afford a fair and reasonable measure of that standard.

It is believed, further, that the act contemplates a method of allotment which will not only result in a fair, efficient, and equitable distribution of the quota but will at the same time afford a maximum of protection to the producers of sugarcane. This result may be accomplished by giving one-fourth weight to past marketings, measured in the manner hereinbefore stated, and three-fourths weight to processings from proportionate shares of sugarcane for the 1938-39 crop. This weighting will result in a fair, efficient, and equitable distribution of the quota and will also provide an incentive to processors to grind as much proportionate share sugarcane as possible for purposes of future allotments.

The Louisiana processors recommended at the hearing that Louisiana State University be given an allotment of 600 tons of sugar regardless of what allotment it would be entitled to under the method of allotment finally adopted (R. p. 150). It was stated that the allotment was necessary in order to enable the Audubon Sugar School to continue its educational and experimental undertakings. It is deemed advisable, therefore, before calculating allotments for other Louisiana processors, to allot to Louisiana State University, from that portion of the quota allocable to Louisiana processors under the foregoing formula, the difference between the quantity of sugar which would be allocated to it under such formula and the 600 tons requested.

FINDINGS OF FACT

On the basis of the record of the hearing, I hereby find:

1. That the total supply of mainland cane sugar available for market in 1939 is approximately 648,000 short tons of sugar, raw value, or 223,273¹ short tons of sugar, raw value, in excess of the 1939 quota for such area.

2. That the use of the most favorable of the following options constitutes a fair and reasonable measure of past marketings of sugar for each processor:

(1) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1935, 1936, 1937, and 1938,

(2) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1935, 1936, 1937, and 1938, or

(3) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1935, 1936, 1937, and 1938.

¹ Calculated on basis of revised quota set forth in General Sugar Quota Regulations, Series 6, No. 1, Rev. 1.

3. That the past marketings of each processor, measured by the best option of the three given above, are as follows:

Processor	Best Option	Amount (short tons, raw value)
Alma Plantation, Ltd. ¹ -----	Av. 1936-37-38	6,572
J. Aron & Co., Inc. ¹ -----	70% 1937	7,035
Billeaud Sugar Factory ¹ -----	Av. 1935-36-38	11,479
Blanchard Planting Co. ¹ -----	Av. 1935-36-37	2,360
Caire & Graugnard ¹ -----	Av. 1935-36-37	2,894
Caldwell Sugars, Inc. ¹ -----	Av. 1935-36-37	7,118
A. & J. E. Champagne ¹ -----	Av. 1936-37-38	722
Columbia Sugar Co. ¹ -----	Av. 1936-37-38	4,089
Cora-Texas Mfg. Co., Inc. ¹ -----	Av. 1936-37-38	2,885
Cypremort Sugar Co., Inc. ¹ -----	Av. 1935-36-38	6,557
(R. p. 140).		
Dolgado - Albania Plt'n		
Commission ¹ (R. p. 194).-----	Av. 1936-37-38	7,363
Dugas & LeBlanc, Ltd. ¹ -----	Av. 1936-37-38	6,285
Duhé & Bourgeois Sugar		
Co., Inc. ¹ -----	70% 1938	5,086
Erath Sugar Company ¹ -----	Av. 1936-37-38	8,580
Evan Hall Sugar Cooperative ¹ ----	70% 1937	6,602
Evangeline Pepper & Food		
Prod. Co. ¹ -----	70% 1938	2,748
W. Prescott Foster ¹ -----	Av. 1936-37-38	6,862
E. J. Gay Pltg. & Mfg. Co. ¹ -----	70% 1936	3,521
Glenwood Sugar Coop., Inc. ¹ -----	Av. 1936-37-38	5,596
Godchaux Sugars, Inc. ¹ -----	Av. 1935-37-38	38,337
Haas Investment Co., Inc. ¹ -----	70% 1937	3,195
Helvetia Sugar Coop., Inc. ¹ -----	Av. 1936-37-38	5,184
Iberia Sugar Company ¹ -----	70% 1938	7,858
M. J. Kahao ¹ -----	Av. 1936-37-38	1,048
Kessler & Sternfels ¹ -----	70% 1935	769
Lafourche Sugar Company ¹ -----	70% 1938	6,356
T. Lanaux's Sons ¹ -----	Av. 1935-37-38	612
Harry L. Laws and Co., Inc. ¹ ----	Av. 1935-36-37	13,749
Levert-St. John, Inc. ¹ -----	Av. 1935-36-38	9,626
Louisiana Penitentiary Board ¹ ----	Av. 1935-36-37	5,750
Magnolia Sugar Coop., Inc. ¹ -----	Av. 1936-37-38	3,715
The Maryland Company, Inc. ¹ -----	Av. 1936-37-38	4,447
S. M. Mayer ¹ -----	70% 1936	290
Meeker Sugar Refining Co. ¹ -----	Av. 1935-36-37	4,939
Louisiana State University ¹ -----	70% 1936	4
Milliken & Farwell, Inc. ¹ -----	Av. 1935-36-37	13,855
M. A. Patout & Son ¹ (R. p. 91-92).	Av. 1935-36-37	6,155
Poplar Grove Pltg. & Ref. Co. ¹ ----	Av. 1936-37-38	6,595
Realty Operators, Inc. ¹ -----	Av. 1935-36-37	32,670
Roane Sugars, Inc. ¹ -----	Av. 1936-37-38	5,589
E. G. Robichaux Co., Ltd. ¹ -----	Av. 1936-37-38	5,603
Ruth Sugar Company, Inc. ¹ -----	Av. 1936-37-38	2,733

St. James Operators, Inc. ¹ -----	70% 1937	2,239
San Francisco, P. & M. Co., Ltd ¹ ---	Av. 1936-37-38	2,469
Clarence J. Savoie ¹ -----	Av. 1936-37-38	5,776
Shadyside Company, Ltd. ¹ -----	Av. 1936-37-38	6,565
Slack Brothers ¹ (R. p. 130 and Ex. Unnumbered).	Av. 1936-37-38	2,885
Smedes Brothers, Inc. ¹ -----	Av. 1935-36-38	3,415
Mrs. L. M. Soniat (Estate) ¹ -----	Av. 1935-37-38	3,858
South Coast Corporation ¹ -----	Av. 1936-37-38	37,979
Sterling Sugars, Inc. ¹ (R. p. 126 and Ex. Unnumbered).-----	Av. 1936-37-38	13,487
J. Supple's Sons Planting Co., Ltd. ¹ -----	Av. 1935-36-37	5,248
Tally Ho, Inc. ¹ -----	Av. 1935-36-37	5,131
Teche Sugar Co., Inc. ¹ -----	Av. 1935-36-37	4,641
Valentine Sugars, Inc. ¹ -----	70% 1936	10,088
Vermillion Sugar Company ¹ -----	Av. 1935-36-38	6,661
Vida Sugars, Inc. ¹ -----	Av. 1936-37-38	4,566
Waguespack Planting Co. ¹ -----	Av. 1935-36-37	964
Waterford Sugar Coop., Inc. ¹ (R. p. 132)-----	Av. 1936-37-38	4,827
Waverly Sugar Manufacturing Co., Ltd. ¹ -----	70% 1937	693
Webre-Steib Company, Ltd. ¹ -----	Av. 1936-37-38	1,278
A. Wilbert's Sons L. & S. Co. ¹ -----	Av. 1935-36-37	6,977
Youngsville Sugar Co. ¹ (R. p. 77)---	Av. 1935-36-38	7,463
Baldwin Sugar Co. ¹ -----	70% 1938	398
Breaux Bridge Sugar Coop., Inc. ¹ ---	70% 1938	2,881
McCollam Brothers (R. pp. 138-39)---	70% 1937	384
D. Moresi's Sons ¹ (R. p. 137).-----	70% 1938	1,732
Fellsmere Sugar Prod. Ass'n ¹ -----	Av. 1936-37-38	3,260
U.S. Sugar Corporation ¹ -----	Av. 1936-37-38	52,367

4. That the use of processings of sugar from proportionate shares of sugarcane for the 1938-39 crop affords a fair and reasonable measure of the statutory standard of "processings of sugar * * * from * * * sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained."

5. That the processings of sugar from proportionate shares of sugarcane for the 1938-39 crop are as follows:

¹ Gov't Ex. 2.

<u>Processor</u>	<u>Amount</u> <u>(short tons,</u> <u>raw value)</u>
Alma Plantation, Ltd. ¹ -----	7,414
J. Aron & Co., Inc. ¹ -----	7,772
Billeaud Sugar Factory ¹ -----	11,013
Blanchard Planting Company ¹ -----	3,623
Caire & Graugnard ¹ -----	4,013
Caldwell Sugars, Inc. ¹ -----	8,958
A. & J. E. Champagno ¹ -----	0
Columbia Sugar Company ¹ -----	4,220
Cora-Texas Manufacturing Co., Inc. (R. p. 87)---	5,485
Cypremort Sugar Company, Inc. ¹ -----	8,140
Delgado-Albania Plt'n Commission (R. p. 194)---	7,336
Dugas & LeBlanc, Ltd. ¹ -----	7,821
Duho & Bourgeois Sugar Co., Inc. ¹ -----	7,188
Erath Sugar Company ¹ -----	10,479
Evan Hall Sugar Cooperative ¹ -----	11,943
Evangeline Pepper & Food Prod. Co. ¹ -----	3,936
W. Prescott Foster ¹ -----	7,109
E. J. Gay Pltg. Mfg. Co. ¹ -----	3,561
Glenwood Sugar Coop., Inc. ¹ -----	6,373
Godchaux Sugars, Inc. ¹ -----	39,661
Haas Investment Co., Inc. ¹ -----	3,372
Helvetia Sugar Cooperative, Inc. ¹ -----	5,532
Iberia Sugar Company ¹ -----	13,026
M. J. Kahao ¹ -----	853
Kessler and Sternfels ¹ -----	0
Lafourche Sugar Company ¹ -----	9,528
T. Lanaux's Sons ¹ -----	0
Harry L. Laws and Co., Inc. (R. pp. 80-82)---	16,764
Levert-St. John, Inc. ¹ -----	12,345
Louisiana Penitentiary Board ¹ -----	6,973
Magnolia Sugar Cooperative, Inc. (R. p. 75)---	4,846
The Maryland Company, Inc. ¹ -----	4,093
Meeker Sugar Refining Co. ¹ -----	6,477
Louisiana State University ¹ -----	254
Milliken & Farwell, Inc. ¹ -----	14,960
M. A. Patout & Son ¹ -----	7,468
Poplar Grove Pltg. & Ref. Co. ¹ -----	7,866
Realty Operators, Inc. ¹ (R. pp. 84,85)---	37,781
Roane Sugars, Inc. ¹ -----	5,444
E. G. Robichaux Co., Ltd. ¹ -----	5,556
Ruth Sugar Company, Inc. ¹ -----	2,973
St. James Operators, Inc. ¹ (R. pp. 84,85)---	0
San Francisco P. & M. Co., Ltd. ¹ -----	2,168
Clarence J. Savoie ¹ -----	7,007
Shadyside Company, Ltd. ¹ -----	6,944
Slack Brothers ¹ -----	3,478
Smedes Brothers, Inc. ¹ -----	4,280
Mrs. L. M. Soniat (Estate) ¹ -----	4,691
South Coast Corporation ¹ -----	42,346
Sterling Sugars, Inc. ¹ -----	14,726
J. Supple's Sons Pltg. Co., Ltd. ¹ -----	5,349

Tally Ho, Inc. ¹ -----	4,309
Teche Sugar Co., Inc. ¹ -----	5,255
Valentine Sugars, Inc. ¹ -----	10,142
Vermilion Sugar Company ¹ -----	7,578
Vida Sugars, Inc. ¹ -----	4,098
Waguespack Planting Company ¹ -----	1,196
Waterford Sugar Coop., Inc. ¹ -----	7,613
Waverly Sugar Manufacturing Company, Ltd. ¹ -----	0
Webre-Steib Company, Ltd.-----	1,050
A. Wilbert's Sons L. & S. Co. ¹ -----	7,659
Youngsville Sugar Company ¹ -----	6,716
Baldwin Sugar Co. ¹ -----	885
Breaux Bridge Sugar Coop., Inc. ¹ -----	6,892
McCollam Brothers (R. p. 138)-----	595
D. Moresi's Sons ¹ -----	3,670
Fellsmere Sugar Prod. Association (R. p. 74)-----	6,900
U. S. Sugar Corporation ¹ -----	86,876

6. That the giving of one-fourth weight to past marketings of sugar and three-fourths weight to processings of sugar from proportionate shares of sugarcane for the 1938-39 crop will result in allotments to processors which are fair and reasonable and will afford protection to the producers of sugarcane.

CONCLUSIONS

On the basis of the foregoing, and after consideration of the briefs submitted following the hearing and the objections filed in opposition to the proposed findings of fact, conclusions, and order of the presiding officers who conducted the hearing, I hereby determine and conclude that the allotment of the 1939 sugar quota for the mainland cane sugar area is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and that in order to make a fair, efficient, and equitable distribution of such quota, as required by section 205(a) of the act, allotments should be made by giving one-fourth weight to past marketings, measured by the most favorable of the following three options:

(a) 100 percent of the average quantity of sugar marketed during any three of the calendar years 1935, 1936, 1937, and 1938,

(b) 80 percent of the average quantity of sugar marketed during any two of the calendar years 1935, 1936, 1937, and 1938, or

(c) 70 percent of the average quantity of sugar marketed during any one of the calendar years 1935, 1936, 1937, and 1938;

and by giving three-fourths weight to processings from proportionate shares of sugarcane for the 1938-39 crop.

ORDER

Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the act, it is hereby ordered that:

821.41 Original Allotments. The 1939 sugar quota for the mainland cane sugar area is hereby allotted to the following processors in the amounts which appear opposite their respective names:

<u>Processor</u>	<u>Allotment</u> (short tons, raw value)
Alma Plantation, Ltd.-----	5,461
J. Aron & Co., Inc.-----	5,752
Billeaud Sugar Factory-----	8,437
Blanchard Planting Company-----	2,507
Caire & Graugnard-----	2,830
Caldwell Sugars, Inc.-----	6,442
A. & J. E. Champagne-----	136
Columbia Sugar Company-----	3,174
Cora-Texas Manufacturing Co., Inc.-----	3,665
Cypremort Sugar Company, Inc.-----	5,870
Delgado-Albania Plt'n Commission-----	5,566
Dugas & LeBlanc, Ltd.-----	5,637
Duhe & Bourgeois Sugar Co., Inc.-----	5,050
Erath Sugar Company-----	7,583
Evan Hall Sugar Cooperative-----	8,041
Evangeline Pepper & Food Prod. Co.-----	2,758
W. Prescott Foster-----	5,342
E. J. Gay Pltg. & Mfg. Co.-----	2,692
Glenwood Sugar Coop., Inc.-----	4,684
Godchaux Sugars, Inc.-----	29,813
Haas Investment Co., Inc.-----	2,523
Helvetia Sugar Cooperative, Inc.-----	4,127
Iberia Sugar Company-----	8,895
M. J. Kahao-----	684
Kessler & Sternfels-----	146
Lafourche Sugar Company-----	6,621
T. Lanoux's Sons-----	116
Harry L. Laws & Co., Inc.-----	12,136
Lever-St. John, Inc.-----	8,842
Louisiana Penitentiary Board-----	5,054
Magnolia Sugar Cooperative, Inc.-----	3,459
The Maryland Company, Inc.-----	3,170
St. M. Mayer-----	55
Meeker Sugar Refining Co.-----	4,618
Louisiana State University-----	600
Milliken & Farwell, Inc.-----	11,131
M. A. Patout & Son-----	5,412
Popular Grove Pltg. & Ref. Co.-----	5,722
Realty Operators, Inc.-----	27,671
Roane Sugars, Inc.-----	4,154
E. G. Robichaux Co., Ltd.-----	4,221
Ruth Sugar Company, Inc.-----	2,208
St. James Operators, Inc.-----	425

San Francisco P. & M. Co., Ltd.	1,700
Clarence J. Savoie	5,078
Shadyside Company, Ltd.	5,191
Slack Brothers	2,524
Smedes Brothers, Inc.	3,081
Mrs. L. M. Soniat (Estate)	3,398
South Coast Corporation	31,272
Sterling Sugars, Inc.	10,928
J. Supplé's Sons Pltg. Co., Ltd.	4,036
Tally Ho, Inc.	3,990
Teche Sugar Co., Inc.	3,867
Valentine Sugars, Inc.	7,677
Vermilion Sugar Company	5,571
Vida Sugars, Inc.	3,195
Waguespack Planting Company	863
Waterford Sugar Coop., Inc.	5,243
Waverly Sugar Manufacturing Co., Ltd.	131
Webre-Steib Company, Ltd.	839
A. Wilbert's Sons L. & S. Co.	5,676
Youngsville Sugar Company	5,233
Baldwin Sugar Company	578
Breaux Bridge Sugar Coop., Inc.	4,464
McCollam Brothers	411
D. Moresi's Sons	2,415
Fellsmere Sugar Prod. Association	4,546
U. S. Sugar Corporation	59,390
Other Processors	0
 Total	 424,727

(Sec. 205, 50 Stat. 906; 7 U.S.C., Sup. IV. 1115)

821.42 Additional Allotments. Any increase or decrease in the 1939 sugar quota for the mainland cane sugar area shall be prorated among processors on the basis of the allotments set forth in Sec. 821.41 hereof and such allotments shall be increased accordingly. (Sec. 205, 50 Stat. 906; 7 U.S.C., Sup. IV, 1115)

821.43 Restrictions on Marketing. Processors of sugarcane in the mainland cane sugar area are hereby prohibited from shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugarcane grown in the mainland cane sugar area in excess of the marketing allotments established in Secs. 821.41 and 821.42 hereof. (Sec. 205, 50 Stat. 906; 7 U.S.C., Sup. IV, 1115)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the district of Columbia, city of Washington, this 28th day of April 1939.

(SEAL)

HARRY L. BROWN,
Acting Secretary of Agriculture.

